

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FILED
1/27/25 11:37 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN RE:)
Barbara E. Conklin,) Case No. 23-70145-JAD
Debtor) Chapter 13
)
)
_____) Doc. # 44

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- ☐ a motion to dismiss case or certificate of default requesting dismissal
- ☐ a plan modification sought by: _____
- ☐ a motion to lift stay
as to creditor _____
- ☒ Other: Notice of Mortgage Payment Change filed November 5, 2024

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☒ Chapter 13 Plan dated May 4, 2023
- ☐ Amended Chapter 13 Plan dated _____

is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☒ Debtor's Plan payments shall be changed from \$ 1,371.00 to \$ 1,685.00, effective February 2025; and/or the Plan term shall remain at 60 months per Order of Court Confirming Plan on Final Basis dated August 7, 2023.


- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve _____ on or before _____.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other: The Notice of Mortgage Payment Change dated November 5, 2024, is resolved per this Order. In addition, except with respect to the increased payment, the previously entered ORDER CONFIRMING PLAN ON FINAL BASIS at Doc No.31 is incorporated herein.

IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

[Remainder of Page Intentionally Left Blank]

SO ORDERED, this 27th day of January, 2025



Jeffery A. Deller jsf
United States Bankruptcy Judge

Stipulated by:

/s/ Kenneth P. Seitz, Esquire
Counsel to Debtor

Stipulated by:

/s/ James C. Warmbrodt, Esquire
Counsel to Chapter 13 Trustee

Stipulated by:

Counsel to affected creditor

cc: All Parties in Interest to be served by Clerk

In re:
Barbara E Conklin
Debtor

Case No. 23-70145-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7
Date Rcvd: Jan 27, 2025

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 9

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 29, 2025:

Recip ID	Recipient Name and Address
db	+ Barbara E Conklin, 6216 Morgan Run Road, West Decatur, PA 16878-8426
15597673	+ Geraldine M. Linn, Esquire, KML Law Group, PC, 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541
15597675	+ Lendmark Financial Services, Nittany Commons, 2264 E College Avenue, State College, PA 16801-7205

TOTAL: 3

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
15617942	+ Email/PDF: acg.acg.ebn@aisinfo.com	Jan 28 2025 00:20:47	Ally Bank c/o AIS Portfolio Services, LLC, 4515 N. Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
15597671	+ Email/Text: ally@ebn.phinsolutions.com	Jan 28 2025 00:01:00	Ally Financial, P.o. Box 380901, Bloomington, MN 55438-0901
15597672	+ Email/Text: bdsupport@creditmanagementcompany.com	Jan 28 2025 00:02:00	Credit Management Co, 2121 Noblestown Rd, Pittsburgh, PA 15205-3956
15597674	Email/Text: bk@lendmarkfinancial.com	Jan 28 2025 00:01:00	Lendmark Financial Ser, 2118 Usher St., Covington, GA 30014
15597676	Email/Text: BKSPSElectronicCourtNotifications@spservicing.com	Jan 28 2025 00:02:00	Select Portfolio Servicing, 3815 S. West Temple Street, Salt Lake City, UT 84115
15619099	Email/Text: BKSPSElectronicCourtNotifications@spservicing.com	Jan 28 2025 00:02:00	U.S. Bank National Association, at. el, c/o Select Portfolio Servicing, Inc., P.O. Box 65250, Salt Lake City UT 84165-0250

TOTAL: 6

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		U.S. Bank National Association, not in its individ
cr		U.S. Bank Trust Company, National Association, as
cr	*+	Ally Bank c/o AIS Portfolio Services, LLC, 4515 N. Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	*+	Ally Bank, c/o AIS Portfolio Services, LLC, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901

TOTAL: 2 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

District/off: 0315-7

User: auto

Page 2 of 2

Date Rcvd: Jan 27, 2025

Form ID: pdf900

Total Noticed: 9

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 29, 2025

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 27, 2025 at the address(es) listed below:

Name	Email Address
Denise Carlon	on behalf of Creditor U.S. Bank National Association not in its individual capacity but solely in its capacity as Indenture Trustee of CIM Trust 2021-NR1 dcarlon@kmlawgroup.com
Kenneth P. Seitz	on behalf of Debtor Barbara E Conklin thedebterasers@aol.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Robert Shearer	on behalf of Creditor U.S. Bank Trust Company National Association, as Trustee, as successor-ininterest to U.S. Bank National Association, not in its individual capacity but solely in its capacity as Indenture Trustee of rshearer@raslg.com
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 5